



General Assembly

January Session, 2013

***Raised Bill No. 1143***

LCO No. 4642



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING TRAFFIC STOP INFORMATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-1m of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) Each municipal police department, [and] the Department of  
4 Emergency Services and Public Protection and any other department  
5 with authority to conduct a traffic stop shall adopt a written policy that  
6 prohibits the stopping, detention or search of any person when such  
7 action is solely motivated by considerations of race, color, ethnicity,  
8 age, gender or sexual orientation, and such action would constitute a  
9 violation of the civil rights of the person. For the purposes of this  
10 section: (1) "Department with authority to conduct a traffic stop"  
11 means any department that includes, or has oversight of, a police  
12 officer, and (2) "police officer" means a police officer within a  
13 municipal police department or the Department of Emergency Services  
14 and Public Protection or a person with authority pursuant to any  
15 provision of the general statutes to make arrests or issue citations for  
16 violation of any statute or regulation relating to motor vehicles and to

17 enforce said statutes and regulations as policemen or state policemen  
18 have in their respective jurisdictions, including, but not limited to: (A)  
19 Special policemen acting under the provisions of section 29-18, 17a-24  
20 or 17a-465; (B) policemen acting under the provisions of section 29-29;  
21 (C) the Commissioner of Motor Vehicles, each deputy commissioner in  
22 the Department of Motor Vehicles and any salaried inspector of motor  
23 vehicles designated by the commissioner pursuant to section 14-8; (D)  
24 the State Capitol Police acting under the provisions of section 2-1f; (E)  
25 special police forces acting under the provisions of section 10a-142; (F)  
26 state policemen acting under the provisions of section 27-107; and (G)  
27 fire police officers acting under the provisions of section 7-313a.

28 (b) Not later than July 1, 2013, the Office of Policy and Management,  
29 in consultation with the Racial Profiling Prohibition Project Advisory  
30 Board established in section 54-1s, and the Criminal Justice  
31 Information System Governing Board shall, within available resources,  
32 develop and implement a standardized method:

33 (1) To be used by police officers of municipal police departments,  
34 [and] the Department of Emergency Services and Public Protection  
35 and any other department with authority to conduct a traffic stop to  
36 record traffic stop information unless the police officer is required to  
37 leave the location of the stop prior to completing such form in order to  
38 respond to an emergency or due to some other exigent circumstance  
39 within the scope of such police officer's duties. The standardized  
40 method and any form developed and implemented pursuant to such  
41 standardized method shall allow the following information to be  
42 recorded: (A) [Date] The date and time of the stop; (B) the specific  
43 geographic location of the stop; (C) [name and badge] the unique  
44 identifying number of the police officer making the stop, or the name  
45 and title of the person making the stop if such person does not have a  
46 unique identifying number; (D) the race, color, ethnicity, age and  
47 gender of the operator of the motor vehicle that is stopped, provided  
48 the identification of such characteristics shall be based on the  
49 observation and perception of the police officer responsible for

50 reporting the stop; (E) the nature of the alleged traffic violation or  
51 other violation that caused the stop to be made and the statutory  
52 citation for such violation; (F) the disposition of the stop including  
53 whether a warning, citation or summons was issued, whether a search  
54 was conducted, the authority for any search conducted, the result of  
55 any search conducted, the statute or regulation citation for any  
56 warning, citation or summons issued and whether a custodial arrest  
57 was made; and (G) any other information deemed appropriate. The  
58 method shall also provide for (i) notice to be given to the person  
59 stopped that if such person believes that such person has been  
60 stopped, detained or subjected to a search solely because of race, color,  
61 ethnicity, age, gender, sexual orientation, religion or membership in  
62 any other protected class, such person may file a complaint with the  
63 appropriate law enforcement agency unless the police officer was  
64 required to leave the location of the stop prior to providing such notice  
65 in order to respond to an emergency or due to some other exigent  
66 circumstance within the scope of such police officer's duties, and (ii)  
67 instructions to be given to the person stopped on how to file such  
68 complaint unless the police officer was required to leave the location of  
69 the stop prior to providing such instructions in order to respond to an  
70 emergency or due to some other exigent circumstance within the scope  
71 of such police officer's duties;

72 (2) To be used to report complaints pursuant to this section by any  
73 person who believes such person has been subjected to a motor vehicle  
74 stop by a police officer solely on the basis of race, color, ethnicity, age,  
75 gender, sexual orientation or religion; and

76 (3) To be used by each municipal police department, [and] the  
77 Department of Emergency Services and Public Protection and any  
78 other department with authority to conduct a traffic stop to report data  
79 to the Office of Policy and Management pursuant to subsection (h) of  
80 this section.

81 (c) Not later than July 1, 2013, the Office of Policy and Management,

82 in consultation with the Racial Profiling Prohibition Project Advisory  
83 Board, shall develop and implement guidelines to be used by each  
84 municipal police department, [and] the Department of Emergency  
85 Services and Public Protection and any other department with  
86 authority to conduct a traffic stop in (1) training police officers of such  
87 agency in the completion of the form developed and implemented  
88 pursuant to subdivision (1) of subsection (b) of this section, and (2)  
89 evaluating the information collected by police officers of such  
90 municipal police department, [and] the Department of Emergency  
91 Services and Public Protection or other department with authority to  
92 conduct a traffic stop pursuant to subsection (e) of this section for use  
93 in the counseling and training of such police officers.

94 (d) (1) Prior to the date a standardized method and form have been  
95 developed and implemented pursuant to subdivision (1) of subsection  
96 (b) of this section, each municipal police department, [and] the  
97 Department of Emergency Services and Public Protection and any  
98 other department with authority to conduct a traffic stop shall, using  
99 the form developed and promulgated pursuant to the provisions of  
100 subsection (h) in effect on January 1, 2012, record and retain the  
101 following information: (A) The number of persons stopped for traffic  
102 violations; (B) characteristics of race, color, ethnicity, gender and age of  
103 such persons, provided the identification of such characteristics shall  
104 be based on the observation and perception of the police officer  
105 responsible for reporting the stop and the information shall not be  
106 required to be provided by the person stopped; (C) the nature of the  
107 alleged traffic violation that resulted in the stop; (D) whether a  
108 warning or citation was issued, an arrest made or a search conducted  
109 as a result of the stop; and (E) any additional information that such  
110 municipal police department, [or] the Department of Emergency  
111 Services and Public Protection or any other department with authority  
112 to conduct a traffic stop, as the case may be, deems appropriate,  
113 provided such information shall not include any other identifying  
114 information about any person stopped for a traffic violation such as

115 the person's operator's license number, name or address.

116 (2) On and after the date a standardized method and form have  
117 been developed and implemented pursuant to subdivision (1) of  
118 subsection (b) of this section, each municipal police department, [and]  
119 the Department of Emergency Services and Public Protection and any  
120 other department with authority to conduct a traffic stop shall record  
121 and retain the information required to be recorded pursuant to such  
122 standardized method and any additional information that such  
123 municipal police department or the Department of Emergency Services  
124 and Public Protection or other department with authority to conduct a  
125 traffic stop, as the case may be, deems appropriate, provided such  
126 information shall not include any other identifying information about  
127 any person stopped for a traffic violation such as the person's  
128 operator's license number, name or address.

129 (e) Each municipal police department, [and] the Department of  
130 Emergency Services and Public Protection and any other department  
131 with authority to conduct a traffic stop shall provide to the Chief  
132 State's Attorney and the Office of Policy and Management (1) a copy of  
133 each complaint received pursuant to this section, and (2) written  
134 notification of the review and disposition of such complaint. No copy  
135 of such complaint shall include any other identifying information  
136 about the complainant such as the complainant's operator's license  
137 number, name or address.

138 (f) Any police officer who in good faith records traffic stop  
139 information pursuant to the requirements of this section shall not be  
140 held civilly liable for the act of recording such information unless the  
141 officer's conduct was unreasonable or reckless.

142 (g) If a municipal police department, [or] the Department of  
143 Emergency Services and Public Protection or any other department  
144 with authority to conduct a traffic stop fails to comply with the  
145 provisions of this section, the Office of Policy and Management shall

146 recommend and the Secretary of the Office of Policy and Management  
147 may order an appropriate penalty in the form of the withholding of  
148 state funds from such municipal police department, [or] the  
149 Department of Emergency Services and Public Protection or such other  
150 department with authority to conduct a traffic stop.

151 (h) Not later than October 1, 2012, and annually thereafter, each  
152 municipal police department, [and] the Department of Emergency  
153 Services and Public Protection and any other department with  
154 authority to conduct a traffic stop shall provide to the Office of Policy  
155 and Management a [summary] monthly report of the information  
156 recorded pursuant to subsection (d) of this section for each traffic stop  
157 conducted, in a format prescribed by the Office of Policy and  
158 Management. On and after January 1, 2015, such information shall be  
159 submitted in electronic form, and shall be submitted in electronic form  
160 prior to said date to the extent practicable.

161 (i) The Office of Policy and Management shall, within available  
162 resources, review the prevalence and disposition of traffic stops and  
163 complaints reported pursuant to this section. Not later than [January]  
164 July 1, 2014, and annually thereafter, the office shall report the results  
165 of any such review, including any recommendations, to the Governor,  
166 the General Assembly and any other entity deemed appropriate.

167 (j) Not later than January 1, [2013] 2014, the Office of Policy and  
168 Management shall submit a report to the joint standing [committee]  
169 committees of the General Assembly having cognizance of matters  
170 relating to the judiciary and public safety, and to the African-American  
171 Affairs Commission, the Latino and Puerto Rican Affairs Commission  
172 and the Black and Puerto Rican Caucus of the General Assembly, on  
173 the office's progress in developing a standardized method and  
174 guidelines pursuant to this section. Such report may include  
175 recommendations for amendments to this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2013</i>	54-1m
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***Statement of Purpose:***

To adopt the recommendations of the Connecticut Racial Profiling Prohibition Project with respect to traffic stop information, and require the filing of progress reports with the joint standing committee of the General Assembly having cognizance of matters relating to public safety.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*